

**AFFIDAVIT IN SUPPORT OF  
SEARCH WARRANTS**

I, **James R. Rogers**, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of an application for search warrants in the Northern District of West Virginia.

2. I am a Special Agent with the **Federal Bureau of Investigation**, and have been since February 23, 2003. Your Affiant is a duly authorized Federal law enforcement officer. Your Affiant is an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), and is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516. During the course of such investigations, your Affiant is authorized to apply for, obtain and serve search warrants, make seizures and arrests. Your Affiant has conducted and/or participated in a substantial number of criminal investigations, while employed by the FBI and has recently begun investigating violations of Title 18, United States Code, Sections 371, 875(d), 873, and 1343. Your Affiant has participated in the serving of numerous search warrants, arrests, surveillances, and other aspects of criminal investigations.

3. This affidavit is submitted in support of an application for search warrants to search the following items:

a. Samsung Tablet, model: SM-T113, Build # KTU8P.T113XXUAQA#

b. Samsung cellular telephone, model: SM-B311V, MEID:  
A0000048EC651F

c. ZTE cellular telephone model Z233VL, SN: 32F4766556F1, CHIP#  
89148000003663703812

d. Samsung cellular telephone, IMEI: 990005930324604

4. Information in this affidavit is based upon my personal knowledge and on the information provided to me by other investigators and law enforcement officers and witnesses during the course of this investigation. During the course of this investigation, I have conducted interviews with victims and witnesses, surveillance, consensually monitored telephone conversations, and review and analysis of pen register data. I am familiar with all aspects of this investigation.

#### **FBI Investigation**

5. On December 21, 2017 your Affiant arrested LECLEAR for violations of Title 18, United States Code, Sections 371, 875(d) and 873. Subsequent to his arrest, your Affiant seized two cellular telephones and a Samsung tablet identified above (a-c). The FBI obtained subsequent search warrants for the specific electronic devices (items a-c) for evidence in support of violations of Title 18, United States Code, Sections 371, 875(d) and 873. The items were analyzed and information extracted by the FBI. Disks of this information were generated for review and analysis by your Affiant.

6. On January 30, 2018, your Affiant received a Samsung cellular telephone (identified as item d above). The Samsung cellular telephone was found in a vehicle owned by and registered to a former girlfriend and victim in this case identified as victim "TM". The vehicle was in the possession of LECLEAR at the time of his arrest. The vehicle was recovered by the FBI and returned to TM subsequent to LECLEAR's arrest. TM sent the Samsung cellular phone to the

FBI and signed a consent to search form to allow the FBI to search the cellular telephone. The Samsung cellular telephone was identified as telephone number (925) 200-0380, which your Affiant learned was owned and allegedly used by LECLEAR in furtherance of schemes in violation of Title 18, United States Code, Sections 371, 875(d), and 873.

7. On February 21, 2018, LECLEAR was charged with violations of Title 18, United States Code, Sections 371, 875(d), 873, and 1343, in a Superseding Indictment.

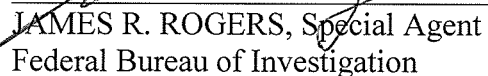
8. On March 21, 2018, your Affiant conducted a search of image files extracted from Samsung Tablet, model: SM-T113, Build # KTU8P.T113XXUAQA# (Item a listed above). The search was conducted to prepare for trial to identify exhibit items pertaining to extortion and wire fraud charges in the investigation. During the search, your Affiant identified an image that appeared to be child pornography (Image 6287). Your Affiant stopped the search and contacted FBI Headquarters in Pittsburgh and the United States Attorney's Office, Northern District of West Virginia, for guidance. Your Affiant was advised to draft search warrants for all electronic devices seized from LECLEAR in addition to the Samsung cellular telephone recovered from TM, which was identified by the FBI as a cellular telephone owned and used by LECLEAR for violations of Title 18 United States Code, Section 2252A, Certain activities relating to material constituting or containing child pornography.

**Probable Cause to Search Cellular Telephones and Tablet**

9. Based upon my investigation and the identification of an alleged child pornographic image on the Samsung tablet (identified above as item a), it is reasonable to believe that other child pornographic images may be present in electronic devices seized from LECLEAR and other electronic devices that have been identified as owned and used by LECLEAR.

**Conclusion**

10. Based on the evidence described above, I believe probable cause exists that electronic devices that were seized from and/or utilized by LECLEAR may contain child pornographic images in violation Title 18, United States Code, Section 2252A, . I further believe that probable cause exists that the items described above contain evidence, fruits, and instrumentalities relating to the above violation, which evidence fruits and instrumentalities are further described in Attachment A.

  
JAMES R. ROGERS, Special Agent  
Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22<sup>nd</sup> DAY OF MARCH, 2018.

  
UNITED STATES MAGISTRATE JUDGE